

AO 91 (Rev. 11/11) Criminal Complaint

AUSA: Kathryn Boyles
Officer: Jason ArmstrongTelephone: (313) 226-9100
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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Eduardo ESCALANTE-OBED

Case: 2:24-mj-30239

Assigned To : Unassigned

Assign. Date : 6/21/2024

Case No. Description: RE: EDUARDO
ESCALANTE-OBED (EOB)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 9, 2024 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

Code Section

Title 8 U.S.C. Sec. 1326(a)

Offense Description

Unlawful Reentry Following Removal from the United States

This criminal complaint is based on these facts:

On or about June 9, 2024, in the Eastern District of Michigan, Southern Division, Eduardo ESCALANTE-OBED, an alien who had previously been removed from the United States on or about June 11, 2012, was thereafter found in the United States without the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.


Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: 06/21/2024City and state: Detroit, Michigan

Complainant's signature

Jason Armstrong, Deportation Officer

Printed name and title


Judge's signature

Hon. David R. Grand, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Jason Armstrong, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO), of the United States Department of Homeland Security (DHS). I have been employed in this capacity since September 2017. I am assigned to the Criminal Alien Program (CAP) in the ICE ERO Detroit Field Office. Previously, I served as an Investigative Analyst with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), for approximately two years and as a Correctional Officer with the Bureau of Prisons (BOP) for approximately five years.
2. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers to include ICE ERO Deportation Officers and record checks of law enforcement databases. I have also reviewed records from the official immigration file and system automated data relating to Eduardo ESCALANTE-OBED, which reveals the following:
3. ESCALANTE-OBED is a thirty-two-year-old male, native and citizen of Mexico who last entered the United States at or near an unknown place, on or about an unknown date without being inspected and admitted or paroled by an immigration officer.

4. On or about July 29, 2008, the Dayton Police Department arrested ESCALANTE-OBED for public intoxication, and he was convicted of this offense on August 21, 2008, and sentenced to \$25 in fines.
5. On or about December 25, 2010, the Chattanooga Tennessee Police Department arrested ESCALANTE-OBED for public intoxication, and he was convicted of this offense on December 27, 2010, and was sentenced to 30 days of county “workhouse” and a \$50 fine.
6. On or about April 23, 2012, the East Ridge Tennessee Police Department arrested ESCALANTE-OBED for domestic assault, and he was convicted of this offense on April 24, 2012.
7. On or about April 30, 2012, ICE ERO arrested ESCALANTE-OBED at or near Chattanooga, Tennessee, and served him with a Notice to Appear (NTA) for immigration removal proceedings.
8. On or about May 21, 2012, an immigration judge in Oakdale, Louisiana ordered ESCALANTE-OBED removed from the United States to Mexico.
9. On or about June 11, 2012, ESCALANTE-OBED was removed from the United States to Mexico via an ICE Charter at the Alexandria International Airport in Rapides Parish, Louisiana.

10. On or about April 8, 2016, United States Border Patrol (USBP) Agents arrested ESCALANTE-OBED at or near San Ysidro, California and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
11. On or about April 10, 2016, ESCALANTE-OBED was removed from the United States to Mexico.
12. On or about April 23, 2016, USBP Agents arrested ESCALANTE-OBED at or near San Ysidro, California and served him with a Form I-860, Notice and Order of Expedited Removal.
13. On or about April 24, 2016, ESCALANTE-OBED was removed from the United States to Mexico.
14. On or about January 28, 2018, the Hamilton County Tennessee Sheriff's Office arrested ESCALANTE-OBED for domestic assault.
15. On or about February 2, 2018, the Hamilton County Criminal Court convicted ESCALANTE-OBED of domestic assault and sentenced him to 11 months and 29 days of county "workhouse" and a \$200 fine placing him on probation.
16. On or about February 15, 2018, ICE ERO arrested ESCALANTE-OBED at or near Chattanooga, Tennessee and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.
17. On or about June 18, 2018, the U.S. District Court for the Eastern District of Tennessee Chattanooga Division convicted ESCALANTE-OBED for Reentry

after Removal, in violation of Title 8, United States Code, Section 1326(a).

He was sentenced to 4 months imprisonment with credit for time served.

18. On or about July 18, 2018, ESCALANTE-OBED was removed from the United States to Mexico.

19. On or about January 25, 2020, USBP Agents arrested ESCALANTE-OBED at or near Otay Mesa, California and served him with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

20. On or about January 27, 2020, ESCALANTE-OBED was removed from the United States to Mexico.

21. On or about September 1, 2020, Customs and Border Protection (CBP) Agents encountered ESCALANTE-OBED at an unknown location in the United States near the U.S.-Mexico border and expelled him from the United States pursuant to Title 42, United States Code, Section 265.

22. On or about October 29, 2020, CBP Agents encountered ESCALANTE-OBED at an unknown location in the United States near the U.S.-Mexico border and expelled him from the United States pursuant to Title 42, United States Code, Section 265.

23. On or about June 8, 2024, the Waterford Michigan Police Department arrested ESCALANTE-OBED for operating while intoxicated, operating a vehicle without a valid driver's license, and open intoxicants.

24. On or about June 9, 2024, ICE ERO Detroit encountered ESCALANTE-OBED at the Oakland County Jail and issued an I-247, Immigration Detainer.


25. On or about June 10, 2024, ICE ERO Detroit arrested ESCALANTE-OBED at the Oakland County Jail and transported him to ICE ERO's Detroit Field Office for processing. ESCALANTE-OBED's fingerprints and photograph were captured and entered in the Automated Biometric Identification System (IDENT) and the Integrated Automated Fingerprint Identification (IAFIS). The result revealed that ESCALANTE-OBED, DOB: XX/XX/1991, is a citizen of Mexico who has been previously removed from the United States. ICE ERO Detroit served ESCALANTE-OBED with a Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

26. The arrest and subsequent detention of ESCALANTE-OBED was an administrative non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States who is reasonably believed to be in violation of any law or regulation regulating the admission, expulsion, or removal of aliens.

27. A review of immigration records (AXXX XXX 190) for ESCALANTE-OBED and queries in the U.S. Department of Homeland Security databases


revealed that no record exists of ESCALANTE-OBED obtaining consent from the Attorney General or the Secretary of the Department of Homeland Security to re-apply for admission to the United States following his removal from the United States to Mexico on June 11, 2012.

28. Based on the above information, I believe there is probable cause to conclude that Eduardo ESCALANTE-OBED is an alien who, after having been removed from the United States on or about June 11, 2012, was thereafter found in the United States without having obtained the express consent from the Attorney General of the United States or from the Secretary of the Department of Homeland Security to re-apply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a).



Jason Armstrong, Deportation Officer
Enforcement and Removal Operations
Immigration and Customs Enforcement
U.S. Department of Homeland Security

Subscribed and sworn to before me in my
presence and/or by reliable electronic means.



Honorable David R. Grand
United States Magistrate Judge
Dated: June 21, 2024